

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIMON SCHATZMANN, JOHN MESSINA,
and JOHN LEZOTTE,

Plaintiffs,

-v.-

HARRIS PARTNERS LTD., HARRIS TRUST
PARTNERS LLC, and EDWARD P. HARRIS,

Defendants.

21 Civ. 7301 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On January 4, 2024, the Court was informed that its December 7, 2023 Order (Dkt. #59), mailed to Defendant Edward P. Harris on December 11, 2023, had been returned to the Court as not deliverable. Due to these extenuating circumstances, on January 5, 2024, the Court adjourned the deadline by which Defendant was required to file his response to Plaintiffs' motion to dismiss Defendant's counterclaims, to deny Defendant's motion to dismiss the Complaint, and to strike Defendant's answer to January 26, 2024 (Dkt. #60).

The Court has since learned that the Clerk of Court faced difficulties in transmitting the Court's January 5, 2024 Order to Defendant Harris, and that he may not yet have received it. Accordingly, the Court hereby ADJOURNS the deadline by which Defendant must file his response to Plaintiffs' motion to dismiss Defendant's counterclaims, to deny Defendant's motion to dismiss the Complaint, and to strike Defendant's answer to **February 9, 2024**. There will

be no further extensions of this deadline. If the Court does not receive Defendant's submission by that date, it will consider Plaintiffs' motion unopposed.

The Clerk of Court is directed to mail a copy of this Order to Defendant's address of record, *i.e.*:

EDWARD HARRIS a/k/a DAVID WAGNER,
REG. No. 12143-070
FCI CUMBERLAND
FEDERAL CORRECTIONAL INSTITUTION
SATELLITE CAMP
P.O. BOX 1000
CUMBERLAND, MD 21501

SO ORDERED.

Dated: January 18, 2024
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge